

AO 450 (Rev. 5/85) Judgment in a Civil Case ⊕

UNITED STATES DISTRICT COURT

***** DISTRICT OF NEVADA

MARSHALL BURGESS, JR.,

Plaintiff,

V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 3:12-CV-0087-ECR-WGC

ELISE SPELL, et al.,

Defendants.

___ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

___ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

X **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that this action is DISMISSED without prejudice for failure to state a claim upon which relief may be granted. This dismissal shall count as an additional "strike" for purposes of 28 U.S.C. § 1915(g).

February 16, 2012

LANCE S. WILSON

Clerk

/s/ D. R. Morgan

Deputy Clerk